City of High Point

Municipal Office Building
211 South Hamilton Street
High Point, NC 27261

Minutes

Thursday, December 6, 2012

9:00 AM

Council Chambers

City Council

Bernita Sims, Mayor
Britt W. Moore, Mayor Pro Tem
James C. Davis, Foster L. Douglas
Jason P. Ewing, Jeffrey J. Golden,
Judith P. Mendenhall, Rebecca R. Smothers,
Jay W. Wagner

ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE

Present 9 - Mayor Bernita Sims, Mayor Pro Tem Britt Moore, Council Member James Davis, Council Member Foster Douglas, Council Member Jason Ewing, Council Member Jeffrey Golden, Council Member Judy Mendenhall, Council Member Rebecca Smothers, and Council Member Jay Wagner

REGULAR MEETING ITEMS

120320 Council is requested to acknowledge receipt of the canvassed results of the Municipal General Election held on Tuesday, November 6, 2012 for the Mayor and High Point City Council.

Attachments: Abstract of Votes - 2012 Municipal Election.pdf

Acknowledged receipt of the canvassed results of the Municipal General Election held on Tuesday, November 6, 2012 for the Mayor and High Point City Council.

A motion was made by Council Member Smothers, seconded by Council Member Mendenhall, to acknowledge receipt of the canvassed results of the Municipal General Election held on Tuesday, November 6, 2012. The motion PASSED by an unanimous vote.

120316 **Election of Mayor Pro Tem to serve period of December 6, 2012 - December 31, 2013.**

Council Member Smothers moved that Council Member Britt Moore serve as Mayor Pro Tem from December 6, 2012 to December 31, 2013. Council Member Wagner made a second to the motion.

Mayor Sims asked if there were any other nominations. She explained the one-year term for Mayor Pro Tem is basically keeping with what has been done in the past and noted the City Council changed the Charter several years ago so all members on Council would be eligible to serve as Mayor Pro Tem instead of restricting it to the two At-Large members. Council Member Douglas questioned how this was changed and it was noted that the City Council took action and made the change. Mayor Sims clarified that anyone currently serving on Council is eligible to serve as Mayor Pro Tem and again asked if there were any additional nominations.

There being none, the floor was closed for nominations and she called for a vote on the motion to nominate Council Member Britt Moore to serve as Mayor Pro Tem.

The motion carried by the following 8-1 vote:

A motion was made by Council Member Smothers, seconded by Council Member Moore,

that this matter be approved. The motion carried by the following vote:

Aye: 8 - Mayor Sims, Mayor Pro Tem Moore, Council Member Davis, Council Member Ewing, Council Member Golden, Council Member Mendenhall, Council Member Smothers, and Council Member Wagner

Nay: 1 - Council Member Douglas

120319 Council is requested to adopt an ordinance establishing dates and times for official sessions of the High Point City Council.

Attachments: ordinance establishing meeting dates and times 2012 2014

Ordinance No. 6964/12-80
Introduced 12/6/2012; Adopted 12/6/2012
Ordinance Book, Volume XVII, Page 80

Mayor Sims noted prior to this, Council typically had three committees (Finance; Public Safety & Community Development; and Planning & Development, Economic Development & Information Technology), but based on the number of new individuals on Council she was recommending to do away with these committees and go with Meetings of the Committee of the Whole so that everybody has an opportunity to hear the information, and be involved and engaged in the discussions. She explained that as issues come up around these areas, they will be addressed with the Committee of the Whole and all members on Council are requested to be present at these meetings. The meetings of the Committee of the Whole will be held on Thursday following the 1st Monday regular meeting and she pointed out the City Manager Briefing Sessions are on the meeting schedule to be held on the Thursday following the 3rd Monday regular meeting. She encouraged Council to go ahead and block these times on their calendars although it might not be necessary to meet every time during these times. Mayor Sims explained that Council can still make all actions final at the Monday regular meeting as has been done in the past.

Council Member Wagner asked for clarification as far as the time for the Thursday meetings. Mayor Sims noted the Thursday morning meetings would be held at 9:00 a.m. and asked that the Ordinance be revised to reflect this time. Council Member Davis asked about the possibility of making the meeting times on Thursday mornings earlier and Mayor Sims felt 9:00 a.m. is a good time because it allows staff to get to work, get situated and get things in place for the meeting. Council Member Douglas questioned who would chair the meetings of the Committee of the Whole and do the legwork for issues that arise. Mayor Sims advised that she would chair all meetings and reiterated that all the Council, as a group, will handle those issues and concerns during the 9:00 a.m. Thursday morning meetings.

There being no further questions or discussion, Council adopted the Ordinance Establishing Dates and Times for Official Sessions of the High Point City Council with the addition of 9:00 a.m. for the Meetings of The Committee of the

Whole on Thursday following the 3rd Monday and 9:00 a.m. for the City Manager's Briefing Sessions on Thursday following the 3rd Monday regular meeting.

A motion was made by Council Member Mendenhall, seconded by Council Member Moore, that this Ordinance be adopted. The motion PASSED by an unanimous vote.

120317 Council is requested to confirm the liaison appointments for the term of December 2012 - December 2014.

Attachments: Boards Commissions Liaison Members

Mayor Sims referred Council to the liaison appointments for the 2012-2014 term and asked if there were any questions. Council Member Golden asked that his name be removed as one of the liaisons to the Parks & Recreation Commission; Mayor Sims concurred. Mayor Sims also called Council's attention to the three Mayor's Commissions on Cultural Arts; Youth, Education & Families; and Millennials and once these are established, it is her sincere desire to use some of those individuals who actually ran for office and did not prevail in an effort to keep them engaged in the happenings in the city. She explained that she would soon be forwarding an outline and work plans for these commissions to Council that would help explain their purpose. She also noted the spaces on the liaison list are blank because none of the Council Members volunteered to serve in those capacities and asked if anyone would like to serve as liaison to the Guilford County Local Emergency Planning Committee. Council Member Smothers wondered if this group would still be needed in light of the recently approved local emergency plan that was done in collaboration on a county-wide basis. Mayor Sims suggested that Mr. Boynton contact the group to determine their needs and if it is necessary for a council member to be assigned to that particular organization.

Approved the Board/Commissions/Liaison Members for the 2012-2014 High Point City Council. [copy of the list will be attached in Legistar as a permanent part of these proceedings]

A motion was made by Council Member Moore, seconded by Council Member Ewing, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

120318 **Boards & Commissions - Planning and Zoning Commission - Ed Spivey**

Council is requested to confirm the appointment of Ed Spivey to the Planning and Zoning Commission as the Ward 3 appointment. Appointment to be effective December 12, 2012 and will expire July 1, 2015.

Attachments: SPIVEY Ed 2012.pdf

Council Member Mendenhall brought the name of Ed Spivey forward for consideration for her Ward 3 appointment on the Planning & Zoning Commission.

Appointed Ed Spivey to the Planning & Zoning Commission as the Ward 3 appointment.

A motion was made by Council Member Mendenhall, seconded by Council Member Smothers, that this Miscellaneous Item be approved. The motion PASSED by an unanimous vote.

Questions Regarding Appointments and Process

Council Member Wagner asked about the effect of the redistricting on the various seats for these boards and commissions and noted his Ward 4 appointee currently serving on the Planning & Zoning Commission is Mr. McKenzie, but as a result of the redistricting, he is now a resident of Ward 3. It was noted that it would have no effect because these appointments are actually made by the Council Member and may or may not actually be within that ward. Council Member Davis asked about the process for bringing recommendations forward for consideration of appointment and was informed that he could go through the city manager or the city clerk to get it placed on the agenda.

Council Member Douglas questioned some appointments recently made because he thought Council was not going to make any appointments until after the election. He felt Mayor Sims' appointment of Carson Lomax as the Ward 1 representative on the Planning & Zoning Commission before the new Council was seated was premature because it keeps Council Member Golden, current Ward 1 representative on Council, from being able to appoint someone of his choice. Mayor Sims offered to defer her Mayor's appointment on the Planning & Zoning Commission to Council Member Golden if there is someone he thinks should be on the Planning & Zoning Commission. Council Member Smothers shared that she did recommend the reappointment of Bob Davis to the Housing Authority, but only after conferring with Mayor Sims.

For Information Only:

Updates from Council Member Liaisons

Mayor Sims informed Council that she would like to hear updates at the Monday meetings from the liaisons serving on the various boards and commissions.

Issues that Need to be Fast-Tracked

Mayor Sims reported that she has talked with the manager and there are some issues that need Council's attention within the next 90 days: update on the city's financials; update on bond projects; and ethics training. She explained that the ethics training is required for any elected official and has to be completed within one year of election or reelection to office. City Manager Strib Boynton noted he has been working with Ellis Hankins with the North Carolina League of Municipalities trying to plan a training session for the newly elected

officials and the ethics training would be part of that. He asked Council to pencil in the date of January 11th as a possible time for the training session.

Council Retreat

Mayor Sims informed Council that they should also be aware that the City Council will hold a Retreat sometime in January and it has generally been held on Saturdays in the past. Staff will be reviewing the calendars and getting some dates out soon for this. Mr. Boynton shared that as part of this, Council will be invited to participate in a tour of some of the city facilities.

Council Discussion on Issues/Priorities

Council Member Smothers noted that it has generally been a custom for the newly elected Council to sit as a group and discuss various areas of interests (individually and as a group) in order to build an agenda as the new Council moves forward. Mayor Sims explained she does plan on sharing the information she has already gathered from the Council Members and as soon as a time could be scheduled, she did plan to sit down as a group and discuss the priorities. Discussion on these would be needed to formulate both the federal and state legislative agendas.

City Project Update (Duany Study)

Mayor Sims reported that a meeting is scheduled for Thursday, December 20th to discuss the City Project Update (Duany Study).

Legislative Agenda

Mr. Boynton informed Council that Fred Baggett plans on bringing some items to Council on Monday, December 17th during the Committee of the Whole Finance meeting and looking for some direction from Council.

High Point Student Human Relations Commission Presentation

All Heggins, Director of the High Point Human Relations Department, introduced about 100 students and advisors who were present to share stories about the Student Human Relation Commission programs and the White Privilege Conference held in Albuquerque, New Mexico in March. Ms. Heggins started off with a Power Point presentation that provided some background information on the High Point Student Human Relations Commission (a youth leadership program with a focus on human civil rights and relations). The Student Commission is comprised of nine public and private home schools serving High Point with the following schools participating: Academy at Central; American Red Cross Youth Group (homeschooled); High Point Central; Middle College at GTCC-HP; Penn-Griffin School for the Arts; Southern Guilford; Southwest Guilford; T. Wingate Andrews; and Westchester Country Day.

The following students addressed Council: Shan Faizi, Co-Chair; Mahnaz Shujrah, Co-Chair; Kimberly Watson; Marcus Mitchell; Decephus Lee; Howard Collins; Kendall Tate; Daniel Parks; Zena LeGrande; Rebecca Webster;

Kimberly Watson; Nathaniel Parks; Josh; Horacio DeLeon; Kimberly Watson; Alex Tobar; Thomas Lyons; Mary Morgan Dixon.

The following adults were present: Miche Franken- HPSHRC Advisor GTCC High Point; Cynthia Parks- HPSHRC Advisor Southern Guilford; George Rubenstein- HPSHRC Advisor High Point Central; Cheryl Cunningham- HPSHRC Advisor Westchester Academy; Liz Foster- Presdient, Guilford County Association of Educators; and Monica Walker- Guilford County Schools Diversity Officer.

Elizabeth Foster, President- Guilford County Association of Educators, announced the award of an NEA Urban Grant.

Following the presentations, Mayor Sims noted she has seen tremendous growth in the Human Relations Department since being on Council for the past ten years and this is cutting edge on what the future of the community will be with foundational work that will be impactful to the community. She commented this is important work that the city does.

The students then made a special presentation to City Manager Strib Boynton and presented him with a Certificate of Appreciation for his support.

St. Mary's Grand Opening

Council Member Wagner mentioned St. Mary's open house and tours this Saturday from 1:00 p.m. to 3:00 p.m. with a piano recital following at 3:00 p.m.

Suggestion to Televise Meetings

In an effort to promote and encourage community involvement accountability and transparency, Council Member Douglas suggested that Council may want to consider televising its meetings. Mayor Sims explained this has been considered in the past, but was put on the back burner due to the cost for upfitting the Council Chambers to have that capability. She suggested that perhaps staff could go back and review the numbers to see if it might be a possibility because it is the will of Council.

More on Attorney Tom Terrell Representing the City (Perceived Conflict of Interest)

Council Member Douglas stated he wants to make sure the city is practicing good ethics and although he has no ill feelings toward Tom Terrell, he felt he should not be allowed to represent High Point if he is representing other clients who come before Council. Council Member Smothers explained the city would be hard-pressed to find where there is not interaction between legal firms in one way or another and asked if City Attorney JoAnne Carlyle could possibly get a ruling on this. Ms. Carlyle noted that she and Mr. Boynton have looked into it and found there is no conflict. Mayor Sims suggested staff get a third party to confirm these thoughts.

ADJOURNMENT

There being nothing further to come before Council, the meeting adjourned at 10:50 a.m. upon motion duly made and seconded.

Respectfully Submitted,

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Bernita Sims, Mayor

Attest:

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Lisa B. Vierling, MMC
High Point City Clerk